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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,827	08/10/2000	Dan Yun	200-0368	6345

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EXAMINER

WORJLOH, JALATEE

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/635,827

Applicant(s)

YUN ET AL.

Examiner

Jalatee Worjloh

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Claims 1-20 have been examined.

#### ***Specification***

2. The disclosure is objected to because of the following informalities: typographical error "when **the a** view", remove either "a" or "the" (see pg. 3, line 16).

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 17 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 17 recites the limitation "the step of multiplying" in line 2. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to a process that does nothing more than manipulate an abstract idea. There is no practical application in the technological arts. All that is necessary to make a sequence of operational steps a statutory process within 35 U.S.C. 101 is that it be in the technological arts so as to be in consonance with the Constitutional purpose to promote the progress of "useful arts." *In re Musgrave*, 431 F.2d 882, 167 USPQ 280 (CCPA 1970). Also, a claim is limited to a practical application when the method, as claimed, produces a concrete, tangible and useful result: i.e. the method recites a step or act of producing something that is concrete, tangible and useful. *See AT&T v. Excel Communications Inc.*, 172 F.3d at 1358, 50 USPQ2d at 1452. .

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, and 5-7, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Quicken 6-in-1" by Stephen O'Brien.

"Quicken 6-in-1" discloses procedures for using Quicken 98. "Quicken 6-in-1" mentions that Quicken 98 provides reports for calculating various elements such as net worth, cash flow, money budget etc.; these reports can be generated by selecting an account type (e.g. Checking, Savings) to include in the reports for a given period. Additionally, once a report is establish, the

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user can create financial snapshots by selecting *Reports* → *Snapshots* for displaying (as a default) expense comparison, monthly income & expense, net worth, dining budget etc. (see fig. 11.1, chapters 11 & 12).

Thus, the above process is interpreted as the steps of gathering data from at least one filed in at least two different financial statements (i.e. "Reports"), apply a 1<sup>st</sup>...n subroutine to the gathered data, and reporting the results of the first subroutine the second subroutine, and the third subroutine to identify underlying factors which cause changes in revenue and cost. As per the applying a subroutine to the gathered data, notice, this process is exemplified when the user selects *Reports*→ *Snapshots* for generating a snapshot (e.g. expense comparison, monthly income & expense). Hence, before displaying these snapshots, some form of calculation was applied; the calculation is interpreted as a subroutine. For example, before displaying the monthly income & expense, various mathematical computations must have occurred to the gathered data. Also, the step of determining the applicability of a 1<sup>st</sup>...n subroutine to the gathered data is an inherent step. That is, before calculating and generating the snapshot, the program (i.e. Quicken 98) determines what type of data is selected/gathered and then calculates the data before displaying the snapshot. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose the step of gathering data form at least one field in at least two different financial statements, determining the applicability of a first, second, third, fourth, fifth, and sixth subroutine to the gathered data; if applicable, applying the first subroutine to the gathered data and reporting the results of the first subroutine the second subroutine, and the third subroutine to identify underlying factors which cause changes in revenue and cost. One of ordinary skill in the art would have been motivated to do this because

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it provides statistical reports for different routines; thus, assisting the user in financial and statistical analysis.

Referring to claim 11, "Quicken 6-in-1" disclose the method wherein the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> subroutine compare data form a first period with data form a second period (see table 12.1, Comparison).

Referring to claim 17, "Quicken 6-in-1" discloses the steps of customizing snapshots; the examiner presumes that the snapshots may be customize to display "price by volume".

#### ***Allowable Subject Matter***

Claims 2-4,8-10, 13-16 and 18-20 will be allowable if the 35 U.S.C. § 101 issue is resolve.

#### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Dialog file 148, Accession No. 06706461: "Analyzing your business: ratios/trend analysis and credit management" discloses financial ratio analysis for expressing various statistics from the balance sheet and the profit and loss statement and their relationship with each other.
- US Patent No. 6336094 to Ferguson et al. discloses a method for electronically recognizing and parsing information contained in a financial statement.
- Quicken version 2 by Abbe et al. discloses filtering investment reports and generating new reports including only the filtered data (pg. 199-201).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications, 703-746-9443 for Non-Official/Draft and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

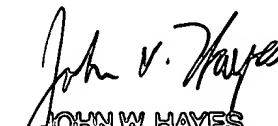
Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks*  
PO Box 1450  
*Alexandria, VA 22313-1450*

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, V.A., Seventh floor receptionist.

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June 16, 2003

  
JOHN W. HAYES  
PRIMARY EXAMINER